

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JEFFREY MICHAEL MOLDOWAN,

Plaintiff,

v.

Case Number 05-70331  
Honorable David M. Lawson

CITY OF WARREN, MACOMB COUNTY,  
ERIC SMITH, DONALD INGLES, JOHN  
DOE Warren Police Officers and Macomb  
County Prosecutors Office Members, and  
MICHAEL GEORGE SCHULTZ,

Defendants.

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**ORDER DENYING PLAINTIFF'S MOTIONS IN LIMINE**

Presently before the Court are three motions *in limine* by the plaintiff to exclude disclosure of a settlement and medical marijuana use and to allow summaries of testimony from prior trials. In this district, movants must seek concurrence in the relief requested before filing a motion or request with this Court. E.D. Mich. LR 7.1(a). If concurrence is obtained, the parties then may present a stipulated order to the Court. If concurrence is not obtained, Local Rule 7.1(a)(2) requires that the moving party state in the motion that “there was a conference between the attorneys . . . in which the movant explained the nature of the motion and its legal basis and requested but did not obtain concurrence in the relief sought [ ] or . . . despite reasonable efforts specified in the motion, the movant was unable to conduct a conference.” E.D. Mich. LR 7.1(a)(2).

The plaintiff does not state in his motion that concurrence was sought from the defendants before filing the motion. “It is not up to the Court to expend its energies when the parties have not sufficiently expended their own.” *Hasbro, Inc. v. Serafino*, 168 F.R.D. 99, 101 (D. Mass. 1996). The plaintiff has filed his motion in violation of the applicable rules.

Accordingly, it is **ORDERED** that the plaintiff's motions *in limine* [dkts. #443, 445, 446] are **DENIED WITHOUT PREJUDICE**.

s/David M. Lawson  
DAVID M. LAWSON  
United States District Judge

Dated: October 3, 2011

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on October 3, 2011.

s/Deborah R. Tofil  
DEBORAH R. TOFIL